



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

Dawley  
P.2



JUL 25 1994

REPLY TO THE ATTENTION OF:  
HSE-5J

VIA FAX & CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: Request for Information Pursuant to Section 104(e) of CERCLA  
for the Orbitron Site Located at 901 S. Main Street,  
Delphos, Allen County, Ohio

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) is currently investigating the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants, at the Orbitron Site located at 901 S. Main Street, Delphos, Allen County, Ohio, hereinafter referred to as the "Site" or the "Facility". This investigation requires inquiry into the generation, storage, treatment, and disposal of such substances that have been or threaten to be released at the Site. U.S. EPA is also investigating the ability of persons connected with the Site to pay for or perform a clean-up of the Site.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. Section 9604(e), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99-499, you are hereby requested to respond to the Information Requests enclosed. Compliance with the enclosed Information Requests is mandatory. Failure to respond fully and truthfully to each and every Information Request within five (5) days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA which, as amended, authorizes the United States to seek penalties from a Federal Court of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. "Non-compliance" is considered by U.S. EPA to be not only failure to respond to the Requests but also failure to respond completely and truthfully to each Request. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties of up to ten thousand dollars (\$10,000)

or up to five (5) years of imprisonment or both under 18 U.S.C. Section 1001. The U.S. EPA has the authority to use the information requested herein in an administrative, civil or criminal action.

This Information Request is directed to your company, its officers, directors and employees, and its subsidiaries, divisions, facilities and their officers, directors and employees. The relevant time period for this request is 1970 to the present. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Your response to this Information Request should be mailed to:

Debora Dawley  
Emergency Support Section  
U.S. Environmental Protection Agency, HSE-5J  
77 West Jackson Blvd.  
Chicago, Illinois 60604

Please direct any legal questions you may have to Mike Anastasio at (312) 886-7951. If you have any other questions contact Debora Dawley at (312) 886-7179.

Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond promptly and properly, U.S. EPA strongly encourages you to give this matter your immediate attention and to respond to these Information Requests within the time specified above.

Thank you for your cooperation in this matter.

Sincerely,

  
Richard C. Karl, Chief  
Emergency & Enforcement Response Branch

Enclosure

bcc: Mike Anastasio, ORC, (CS-3T)  
Steve Renninger, OSC, (GI)  
Jose Cisneros, ESS (HSE-5J)  
Debora Dawley, ESS (HSE-5J)  
Oliver Warnsley, RP-CRU (HSM-5J)  
Toni Lesser, Public Affairs, (P-19J)  
EERB Site File  
EERB Read File  
Fred Policarpio (HSRLT-5J) w/o attachments

INSTRUCTIONS

1. A separate response must be made to each of the Information Requests set forth in this Request for Information.
2. Precede each answer with the number of the Information Request to which it corresponds.
3. In answering each Information Request, identify all contributing sources of information.
4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to U.S. EPA. Moreover, should the Respondent find, at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, Respondent must notify U.S. EPA as soon as possible.
5. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the Information Request to which it responds.
6. The Respondent must respond to each Information Request on the basis of all information and documents in your possession, custody or control or in the possession, custody or control of your former or current employees, agents, servants, contractors or attorneys. Furnish such information as is available, regardless of whether or not it is based on personal knowledge, and regardless of source.
7. Your response should be accompanied by a notarized affidavit from you stating that a diligent record search has been completed and that there has been a diligent interviewing process with all present and former employees and any other persons who may have knowledge of the operations, hazardous substance use, storage, treatment, releases, spills, disposal or handling practices of the Respondent between 1950 and the present. To the extent that any information you provided relating to these Requests is based on your personal knowledge, or the personal knowledge of your employees, agents, or their representatives, this information shall be in the form of a notarized affidavit which includes an attestation that the information provided is complete and truthful to the best of the Respondent's ability and knowledge.
8. If any documents requested herein have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify each such document, identify the name, address and telephone number of the person to whom it was transferred, describe the circumstances surrounding such transfer

or other disposition, and state the date or approximate date of such transfer or other disposition.

9. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36902 et seq. (September 1, 1976); 43 Federal Register 4000 et seq. (December 18, 1985)]. If no such claim accompanies the information when it is received by U.S. EPA it may be made available to the public by U.S. EPA without further notice to you. You should read carefully the above-cited regulations, together with the standards set forth in Section 104(e)(7) of CERCLA, before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim, as stated in Section 104(e)(7)(ii) of CERCLA.

#### DEFINITIONS

For the purpose of the Instructions and Information Requests set forth herein, the following definitions shall apply:

1. The term "you" or "Respondent" shall mean the addressee of this Request for Information whose name/identity appears in the List of Recipients for the Orbitron Site Request for Information which is attached to this Request for Information.
2. The term "person" as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. "The Site" or "the Facility" shall mean and include the entire property located at and surrounding the Orbitron Site located at 901 S. Main Street, Delphos, Allen County, Ohio.
4. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances with other substances including petroleum products.
5. The term "pollutant" or "contaminant" shall have the same definition as that contained in Section 101(33) of CERCLA.
6. The terms "provide", "furnish", "describe", or "indicate" shall mean turning over to U.S. EPA either original or duplicate copies of the requested information in the possession, custody,

or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to an information request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control then indicate where such information or documents may be obtained (include the name, address and telephone number of relevant contacts).

7. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substances or pollutants or contaminants.

8. As used here, "document" and "documents" shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by the way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements, and the like, diary, calendar, desk pad, scrap book, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc, or disc pack; and any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc or disc pack, tape or other type of memory and together with printouts of such punch card, disc or disc pack, video tape or other type of memory); including (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any documents and (e) every document referred to in any other document.

9. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Information Requests any information which might otherwise be construed to be outside their scope.

10. Information Requests pertain to, but are not limited to, facility shut-downs or start-ups as they relate to the information requested as well as chemicals, raw materials, intermediates, solvents, process by products and wastes as they relate to the information requested.

REQUESTS

1. Identify and provide the name, title, address and telephone number of all persons consulted in the preparation of the responses and answers to these Information Requests. Describe the relationships all such persons have or had with the Respondent (for example, attorney or former employee).
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Information Requests and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify and state the present name, address and telephone number of such persons.
4. Identify, list and state the common chemical name (for example, methylene chloride), chemical abstract number, hazard class, waste code, and quantity (in gallons), of every hazardous substance, pollutant, contaminant, chemical and/or compound or mixture of hazardous substances, pollutants, contaminants and/or chemicals (detailing the composition of such compound or mixture by percentage of each singular chemical constituent) which is or may be present at the Site.
  - a) Provide copies of all documents responsive to this information request, including, but not limited to, all waste manifests, invoices, internal records or ledgers, studies and/or assessments performed and/or conducted at or in connection with the Site, and proofs/evidence of payment relating to this information request.
  - b) Provide copies of all Material Safety Data Sheets for, and all analytical results setting forth the composition of and/or any physical properties of, all hazardous substances, pollutants, contaminants, chemicals, compounds and mixtures identified in this information request.
  - c) Fully describe the state and location of all hazardous substances, pollutants, contaminants, chemicals, compounds and mixtures identified in this information request. (E.g., present in soil.)
5. Identify any and all leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants that have occurred at or from the Site. In addition, identify:

- a) When such releases occurred;
- b) How the releases occurred;
- c) The identity and amount of each hazardous substances, pollutants, or contaminants so released;
- d) Where such releases occurred;
- e) Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release.
- f) Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and
- g) All persons with information relating to these releases.

6. Provide copies of all environmental assessments and studies conducted and/or performed at and/or in connection with the Site and the results of all analytical tests and/or studies performed at and/or in connection with the Site.

7. List the EPA Identification Numbers of the Respondent.

8. Identify and state the location of all persons having knowledge or information about the generation, transportation, treatment, disposal or other handling of hazardous substances by you, your contractors, or by any other owners and/or operators.

9. Identify and state the location of any and all owners and operators of the Site (including, but not limited to Respondent), state the dates during which all identified persons own(ed), operate(d) or lease(d) the Site and provide copies of all documents evidencing or relating to such ownership, operation or lease arrangement (e.g., titles, deeds, leases, operating agreements, etc.). Also, provide a legal description of the Site if not set forth in the documentation provided.

10. Are you, your consultants or contractors, or any other person planning to perform any investigations and or cleanups at the Site? If so, identify:

- a) What the nature and scope of these investigations and/or cleanups will be;



- b) The contractors or other persons that will undertake these investigations and/or cleanups;
- c) The purpose of the investigations and/or cleanups;
- d) The dates when such investigations and/or cleanups will take place and be completed; and
- e) Where on the Site such investigations and/or cleanups will take place.

List of Recipients for the Orbitron Site Request for Information

Mr. Thomas Cooper  
c/o Orbitron Industries, Inc.  
4101 Edison Lakes Parkway, Suite 160  
Mishawaka, IN 46545

Orbitron Industries, Inc.  
4101 Edison Lakes Parkway, Suite 160.  
Mishawaka, IN 46545

Bobick, Inc.  
4101 Edison Lakes Parkway, Suite 160  
Mishawaka, IN 46545

Madison Technology, Inc. (or MTI)  
4101 Edison Lakes Parkway, Suite 160  
Mishawaka, IN 46545

Cousins  
1701 Matzinger Road  
Toledo, OH 43612

Interdyne  
1046 North Jefferson Street  
Lima, Ohio 45801

P 851 381 356



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail

Mr. Thomas Cooper  
c/o Orbitron Industrie  
4101 Edison Lakes Park  
Suite 160  
Mishawaka, IN 46545

Postage	\$ 75
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	1.00
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

PS Form 3800, JUNE 1991 (45E-57)



on the reverse side?

## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Thomas Cooper  
c/o Orbitron Industries, inc.  
4101 Edison Lakes Parkway,  
Suite 160  
Mishawaka, IN 46545

4a. Article Number

P 851 381 356

4b. Service Type

- ☐ Registered ☐ Insured  
☐ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

*Kathy Johnson*

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Is your RETURN AT



P 851 381 227



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail

Bobick, Inc.  
4101 Edison Lakes Parkway  
Suite 160  
Mishawaka, IN 46545

Postage	\$ 75
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	1.00
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

PS Form 3811, JUNE 1991  
P851 381 227



on the reverse side?

## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Bobick, Inc.  
4101 Edison Lakes Parkway  
Suite 160  
Mishawaka, IN 46545

4a. Article Number

P851 381 227

4b. Service Type

- |                                       |   |
|---------------------------------------|---|
| <input type="checkbox"/> Registered   | <input type="checkbox"/> Insured                        |
| <input type="checkbox"/> Certified    | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



P 401 179 375



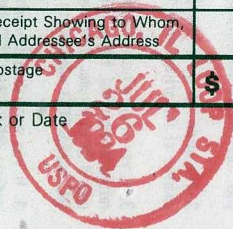
**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail

Madison Technology, Inc.  
4101 Edison Lakes Parkway  
Suite 160  
Mishawaka, In 46545

Dwyer (HSE-55)  
PS Form 3800, June 1991

Postage	\$ 75
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	1.60
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	



Printed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
  - ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

4a. Article Number

D851381228

4b. Service Type

- |                                       |   |
|---------------------------------------|---|
| <input type="checkbox"/> Registered   | <input type="checkbox"/> Insured                        |
| <input type="checkbox"/> Certified    | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

Orbitron Industries, Inc.  
4101 Edison lakes Parway  
Suite 160  
Mishawaka, IN 46545

5. Signature (Addressee)

6. Signature (Agent)

*Kate Jackson*

8. Addressee's Address (Only if requested and fee is paid)

Is your RETURN /



P 401 179 378



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail

Cousins  
1701 Matzinger Road  
Toledo, OH 43612

Postage	\$ 75
Certified Fee	100
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	100
TOTAL Postage & Fees	\$ 275
Postmark or Date	

PS Form 3800, June 1991



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## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Cousins  
1701 Matzinger Road  
Toledo, OH 43612

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 401 179 378

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

8-1-94

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



P 401 179 377



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail

Interdyne  
1046 North Jefferson St.  
Lima, OH 45801

Postage	\$ 75
Certified Fee	160
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	160
TOTAL Postage & Fees	\$ 2.75
Postmark or Date	

ed on the reverse side?

## SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Interdyne  
1046 North Jefferson St.  
Lima, OH 45801

4a. Article Number

P 401 179 377

4b. Service Type

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

Jul 24

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

*Wicki Colebrook*

6. Signature (Agent)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Is your RETURN AD

Thank you for using Return Receipt Service.

d on the reverse side?

## SENDER:

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- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Madison Technology, Inc.  
4101 Edison Lakes Parkway  
Suite 160  
Mishawaka, IN 46545

4a. Article Number

P 401 179 375

4b. Service Type

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

*Kathy Jackson*

6. Signature (Agent)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Is your RETURN AD

Thank you for using Return Receipt Service.